

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
MISSOULA DIVISION

ZACHARY WOOTEN,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a
Delaware Corporation

Defendant.

Case No. CV-16-139-M-DLC

JUDGMENT IN A CIVIL CASE

X Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

Decision by Court. This action came before the Court for bench trial, hearing, or determination on the record. A decision has been rendered.

IT IS ORDERED AND ADJUDGED that judgment is entered as follows in accordance with the order issued on today's date:

1. Judgment is entered against Plaintiff and in favor of Defendant on Plaintiff's Locomotive Inspection Act claim (Claim II).
2. Judgment is entered against Defendant and in favor of Plaintiff on Plaintiff's Federal Employers' Liability Act claim (Claim I) for lost wages and benefits to date of trial in the amount of \$13,177.50, reduced to reflect Plaintiff's contributory negligence of 25%, as found by the jury.
3. Judgment is entered against Defendant and in favor of Plaintiff on Plaintiff's Federal Rail Safety Act claim (Claim III) for lost wages and benefits in the future, reduced to present value in the amount of \$1,407,978, for mental and

emotional humiliation or pain and anguish in the amount of \$500,000, and for punitive damages in the amount of \$249,999.

4. The total judgment entered against Defendant is \$2,171,154.50.

Dated this 7th day of November, 2017.

TYLER P. GILMAN, CLERK

By: Asgoodwin
A.S. Goodwin, Deputy Clerk

